

PROB. 12B
(7/93)

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

United States District Court

for the

DISTRICT OF HAWAII

MAY 22 2008

at 2 o'clock and 45 min. P.M. S
SUE BEITIA, CLERK**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: BOYD VASQUES

Case Number: CR 01-00351HG-02

Name of Sentencing Judicial Officer: The Honorable Helen Gillmor
Chief U.S. District Judge

Date of Original Sentence: 7/8/2002

Original Offense: Count 1: CONSPIRACY TO DISTRIBUTE AND POSSESS WITH
INTENT TO DISTRIBUTE 50 GRAMS OR MORE OF CRYSTAL
METHAMPHETAMINE - "ICE," in violation of 21 U.S.C.
§§ 841(a)(1) and 846, a Class A felonyOriginal Sentence: Forty-one (41) months imprisonment and five (5) years supervised
release with the following special conditions: 1) That the defendant
participate in a substance abuse program, which may include drug
testing, at the discretion and direction of the Probation Office; and
2) That the defendant provide the Probation Office access to any
requested financial information.Type of Supervision: Supervised Release Date Supervision Commenced: 8/11/2004**PETITIONING THE COURT**☒ To modify the conditions of supervision as follows:**General Condition:** *That the defendant shall refrain from any unlawful use of a
controlled substance. The defendant shall submit to one
drug test within 15 days of the commencement of
supervision and at least two drug tests thereafter but no
more than eight valid drug tests per month during the term of
supervision (mandatory condition).***CAUSE**Since the commencement of supervised release on 8/11/2004, the subject has
been compliant and posed no management problems. He has maintained stable

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housing and employment since his release. The subject is employed as a construction worker and recently received a promotion as a journeyman. Additionally, the subject completed substance abuse treatment on 8/23/2005 without incident.

The subject has agreed to modify his conditions of supervised release to allow drug testing consistent with the mandates of United States v. Stephens. This modification is warranted when considering the subject's background, specifically his prior felony conviction for drug distribution and his reported abuse of marijuana and methamphetamine. The revised condition will assist our office in monitoring the subject's compliance since he is no longer enrolled in substance abuse treatment.

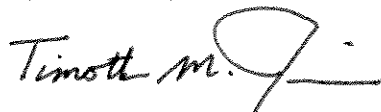
Attached is a signed Waiver of Hearing to Modify Conditions of Supervised Release. The subject waives his right to a hearing and to assistance of counsel. The subject agrees to the modification of the conditions of supervised release. The subject's attorney and the U.S. Attorney's Office have been notified of the proposed modification and have no objections.

Respectfully submitted by,



JOYCE K.F.K. LUM
U.S. Probation Officer

Approved by:

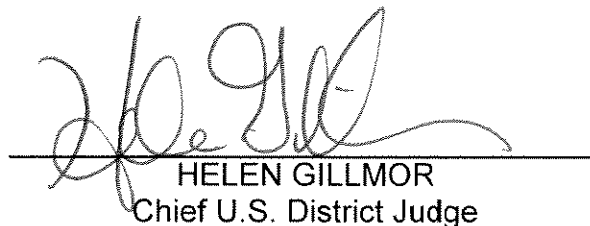


TIMOTHY M. JENKINS
Supervising U.S. Probation Officer

Date: 5/13/2008

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ Other



HELEN GILLMOR
Chief U.S. District Judge

5-21-08

Date

PROB 49
(5/96)

United States District Court

District of Hawaii

Waiver of Hearing to Modify Conditions of Probation/Supervised Release and/or Extend Term of Supervision

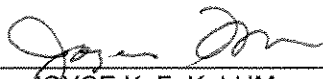
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release and/or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release and/or to the proposed extension of my term of supervision:

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

General Condition *That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of the commencement of supervision and at least two drug tests thereafter but no more than eight valid drug tests per month during the term of supervision (mandatory condition).*

Witness:



JOYCE K. F. K. LUM
U.S. Probation Officer

Signed:



BOYD VASQUES
Supervised Releasee

5/4/08

Date